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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 01/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

T5

Office Action Summary

Application No.

09/828,149

Applicant(s)

WASENIUS, REIDAR

Examiner

Raymond S Dean

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/09/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 3, 7, and 9 – 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawaguchi et al. (US 2002/0037736 A1).

Regarding Claim 1, Kawaguchi teaches a wireless communication system, comprising: a plurality of wireless terminals, each of said wireless terminals including basic functions which are similar plus additional functions which are individual to each terminal; said terminals being in wireless communication with each other; at least some of said wireless terminals forming a group there between, said terminals in said group

sharing said additional functions so that the total available functions of the group are greater than the functions of an individual terminal (Abstract, Figure 3, Figure 5, Figure 6, Section 0006 – Section 0012, Section 0046, the basic function that all of the terminals share is the communication function such that there are bi-directional links between the terminals, this enables the broadcasting and reception of messages, the additional functions are the game software and the concert events function which some wireless terminals do not have thus the need to establish a wireless group for access to said additional functions, upon establishment of said wireless group all of the participating wireless terminals will have a shared or common access to all of said additional functions).

Regarding Claim 2, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi further teaches a wireless communication link that is a low power radio frequency utilizing the Blue tooth protocol (Figure 2, Section 0041).

Regarding Claim 3, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi further teaches an additional function of the terminals that is an additional software application (Figure 5, Figure 6, the game is a software application).

Regarding Claim 7, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi further teaches wherein another group of additional functions becomes available to the group only when a certain minimum number of terminals join the group (Figure 3, Figure 5, Figure 6, Section 0006 – Section 0012, the additional functions are the game software and the concert events function which some wireless terminals do not have thus the need to establish a wireless group for access to said

additional functions, upon establishment of said wireless group all of the participating wireless terminals will have a shared or common access to all of said additional functions).

Regarding Claim 9, Kawaguchi teaches a wireless terminal for use in a wireless communication system, comprising: a transmitter; a receiver; a communication device for handling transmitted and received wireless messages; a basic set of functions which are common to all terminals; and an additional set of functions which are varied in different terminals (Figure 2, Figure 3, Figure 5, Figure 6, Section 0006 – Section 0012, Section 0041 – Section 0043, Section 0045 – Section 0046, the basic function that all of the terminals share is the communication function such that there are bi-directional links between the terminals, this enables the broadcasting and reception of messages, the additional functions are the game software and the concert events function which some wireless terminals do not have thus the need to establish a wireless group for access to said additional functions, upon establishment of said wireless group all of the participating wireless terminals will have a shared or common access to all of said additional functions).

Regarding Claim 10, Kawaguchi teaches all of the claimed limitations recited in Claim 9. Kawaguchi further teaches an additional set of functions that are software applications (Figure 5, Figure 6, the game is a software application).

Regarding Claim 11, Kawaguchi teaches all of the claimed limitations recited in Claim 9. Kawaguchi further teaches a terminal that is in communication with at least one other terminal using wireless communication links (Abstract, Figure 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 – 6 and 12 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. (US 2002/0037736 A1) in view of Callaway, Jr. et al. (US 6,275,500 B1).

Regarding Claim 4, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi does not specifically teach a group that includes a minimum of two and a maximum of seven terminals.

Callaway, Jr. teaches a group that includes a minimum of two and a maximum of seven terminals (Figure 2, Column 2 lines 65 – 67, Column 3 lines 1 – 2, Since the minimum requirements for wireless link is two terminals this is an inherent characteristic of the wireless system).

Kawaguchi and Callaway, Jr. (Column 4 lines 19 – 23) both teach a wireless group system that operates using the Bluetooth protocol, which has specific master and slave requirements thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a minimum of two and a maximum of seven terminals taught in Callaway, Jr. in the wireless group system of Kawaguchi such that

said Bluetooth requirements are met thus enabling a properly functioning wireless group system.

Regarding Claim 5, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi does not specifically teach a group that is established by one terminal becoming a master; which scans other units in the vicinity that join the group as slaves.

Callaway, Jr. teaches a group that is established by one terminal becoming a master; which scans other units in the vicinity that join the group as slaves (Figure 2, Column 2 lines 65 – 67, Column 3 lines 1 - 2).

Kawaguchi and Callaway, Jr. (Column 4 lines 19 – 23) both teach a wireless group system that operates using the Bluetooth protocol, which has specific master and slave requirements thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the scanning or polling method taught in Callaway, Jr. in the wireless group system of Kawaguchi such that said Bluetooth requirements are met thus enabling a properly functioning wireless group system.

Regarding Claim 6, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 5. Kawaguchi further teaches terminals in a group that may be removed from the group by the remainder of the terminals in the group (Section 0051 – Section 0052).

Regarding Claim 12, Kawaguchi teaches a group of wireless terminals, comprising: a plurality of individual terminals forming said group; said terminals interacting within said group by wireless communication links; each of said terminals

having a basic set of functions which are similar among the terminals; and each of said terminals having an additional set of functions which are not common among the terminals (Abstract, Figure 3, Figure 5, Figure 6, Section 0006 – Section 0012, Section 0046, the basic function that all of the terminals share is the communication function such that there are bi-directional links between the terminals, this enables the broadcasting and reception of messages, the additional functions are the game software and the concert events function which some wireless terminals do not have thus the need to establish a wireless group for access to said additional functions, upon establishment of said wireless group all of the participating wireless terminals will have a shared or common access to all of said additional functions).

Kawaguchi does not specifically teach one of said terminals forming a master terminal that controls interactions between the terminals in the group.

Callaway, Jr. teaches a terminal forming a master terminal that controls interactions between the terminals in the group (Figure 2, Column 2 lines 65 – 67, Column 3 lines 1 - 2).

Kawaguchi and Callaway, Jr. (Column 4 lines 19 – 23) both teach a wireless group system that operates using the Bluetooth protocol, which has specific master and slave requirements thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the master terminal control method taught in Callaway, Jr. in the wireless group system of Kawaguchi such that said Bluetooth requirements are met thus enabling a properly functioning wireless group system.

Regarding Claim 13, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi further teaches a wireless communication link that is a low power radio frequency utilizing the Bluetooth protocol (Figure 2, Section 0041).

Regarding Claim 14, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi further teaches an additional function of the terminals that is an additional software application (Figure 5, Figure 6, the game is a software application).

Regarding Claim 15, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi does not specifically teach a group that includes a minimum of two and a maximum of seven terminals.

Callaway, Jr. teaches a group that includes a minimum of two and a maximum of seven terminals (Figure 2, Column 2 lines 65 – 67, Column 3 lines 1 – 2, Since the minimum requirements for wireless link is two terminals this is an inherent characteristic of the wireless system).

Kawaguchi and Callaway, Jr. (Column 4 lines 19 – 23) both teach a wireless group system that operates using the Bluetooth protocol, which has specific master and slave requirements thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a minimum of two and a maximum of seven terminals taught in Callaway, Jr. in the wireless group system of Kawaguchi such that said Bluetooth requirements are met thus enabling a properly functioning wireless group system.

Regarding Claim 16, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi further teaches terminals in a group that may be removed from the group by the remainder of the terminals in the group (Section 0051 – Section 0052).

Regarding Claim 17, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi further teaches wherein another group of additional functions becomes available to the group only when a certain minimum number of terminals join the group (Figure 3, Figure 5, Figure 6, Section 0006 – Section 0012, the additional functions are the game software and the concert events function which some wireless terminals do not have thus the need to establish a wireless group for access to said additional functions, upon establishment of said wireless group all of the participating wireless terminals will have a shared or common access to all of said additional functions).

6. Claims 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. (US 2002/0037736 A1) in view of Hoffman (US 6,622,017 B1).

Regarding Claim 8, Kawaguchi teaches all of the claimed limitations recited in Claim 1. Kawaguchi does not specifically teach wherein said group of additional functions becomes available for a single terminal after having been a member of the group.

Hoffman teaches a wireless terminal that obtains additional functions after having been a member of a network (Abstract, Column 2 lines 18 – 40, Column 2 lines 54 – 63).

Kawaguchi and Hoffman both teach wireless terminals that gain access to additional functions via a wireless bi-directional link thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above method taught in Hoffman in the wireless group system of Kawaguchi such that a user of a wireless terminal can have access to additional functions without having to be connected to said wireless group system thus allowing said user to reside in a remote location out of radio proximity to said wireless group system.

7. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi et al. (US 2002/0037736 A1) in view of Callaway, Jr. et al. (US 6,275,500 B1) and in further view of Hoffman (US 6,622,017 B1).

Regarding Claim 18, Kawaguchi in view of Callaway, Jr. teaches all of the claimed limitations recited in Claim 12. Kawaguchi in view of Callaway, Jr. does not specifically teach wherein said group of additional functions becomes available for a single terminal after having been a member of the group.

Hoffman teaches a wireless terminal that obtains additional functions after having been a member of a network (Abstract, Column 2 lines 18 – 40, Column 2 lines 54 – 63).

Kawaguchi in view of Callaway, Jr. and Hoffman both teach wireless terminals that gain access to additional functions via a wireless bi-directional link thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above method taught in Hoffman in the wireless group system of Kawaguchi in view of Callaway, Jr. such that a user of a wireless terminal can have access to additional functions without having to be connected to said wireless group system thus allowing said user to reside in a remote location out of radio proximity to said wireless group system.

Conclusion

8. Any inquiry concerning this communication should be directed to Raymond S. Dean at telephone number (703) 305-8998.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology center 2600 only)

Hand –delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to

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the status of this application or proceeding should be directed to the Technology Center
2600 Customer Service Office whose telephone number is (703) 306-0377.




NAY MAUNG
SUPERVISORY PATENT EXAMINER